

KRAMER LEVIN NAFTALIS &amp; FRANKEL LLP

OCT 14 2005

FROM: AARON S. HALEVA  
DATE: OCTOBER 14, 2005  
PHONE: 212-715-7773

FAX DEPARTMENT:  
(212) 715-9191  
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RE: 16370

OCT 14 2005

Customer No. 35745

Docket No.: 100405/16370

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Massey et al.  
Serial No.: 10/007,526  
Filed: December 5, 2001  
Examiner: Shafiqul Haq  
Group Art Unit: 1641  
For:

Confirmation No. 3441

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on October 14, 2005Aaron S. Maleva, Reg. No. 44,733  
Name of Applicant, Assignee or Registered Representative

Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

Sir:

The owner, Meso Scale Technologies LLP., of entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,886,434. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

**Customer No. 35745****Docket No.: 100405/16370**

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that any of the said patents later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

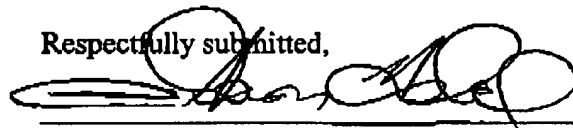
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is an attorney of record and authorized to execute terminal disclaimers on behalf of Meso Scale Technologies LLP.

The Director is hereby authorized to charge the required fee of \$130.00 under 37 CFR 1.20(d) as well as any other fee(s) deemed necessary with the filing of this terminal disclaimer to Deposit Account No. 50-0540.

Dated: October 14, 2005

Respectfully submitted,



Aaron S. Haleva, Reg. No. 44,733  
KRAMER, LEVIN, NAFTALIS & FRANKEL  
1177 Avenue of the Americas  
New York, NY 10036  
Tel. No.: (212) 715-7773  
Fax. No.: (212) 715-8000

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